

## **REMARKS**

In the Office Action dated March 21, 2007, pending Claims 1, 3-5, 7-24, 27-28 and 30 were examined and stand rejected. In response, Claims 1, 14, 22, and 28 are amended, no claims are cancelled and no claims are added. Applicants respectfully request reconsideration of pending Claims 1, 3-5, 7-24, 27-28 and 30 in view of at least such amendments and the following remarks.

### **I. Claims Rejected Under 35 U.S.C. §103**

A. Claims 1, 3-5, 7-10, 22-24, and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,643,663 issued to Dabney et al. ("Dabney") in view of U.S. Patent No. 6,457,045 issued to Hanson et al. ("Hanson"), further in view of U.S. Patent No. 6,052,600 issued to Fette et al. ("Fette") further in view of U.S. Patent No. 5,867,799 issued to Lang et al. ("Lang") further in view of U.S. Patent No. 6,088,702 issued to Plantz et al. ("Plantz") and further in view of U.S. Patent No. 6,437,818 to Ludwig ("Ludwig"). Applicants respectfully traverse this rejection.

Claim 1 recites:

1. A computerized method for creating a story by multiple collaborators being on-line users supplying content associated with a story concept comprising:
  - receiving the story concept for the story including an indication of one or more editors for the story from an originator of the story concept;
  - determining whether the story concept includes content that meets a predetermined criteria set by a party separate from the multiple collaborators and deleting the story concept if the concept fails to meet the predetermined criteria;
  - making the story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept;
  - accepting the received competing story content associated with the story concept from the multiple collaborators if the received competing story content meets the predetermined criteria;
  - determining selected story content from the accepted competing story content submitted from each of the multiple collaborators that is approved for inclusion in the story based on votes received online through a wide area network connection

from the one or more editors and at least one of the multiple collaborators;

creating the story from the selected story content that is approved; and

deleting the accepted competing story content if the received votes have failed to approve the content.

While Applicants' argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from the cited references.

Regarding Claim 1, Claim 1 recites the following claim feature which is neither taught nor suggested by the prior art combination of Dabney in view of Hanson and further in view of Fette in view of Lang and further in view of Plantz:

receiving the story concept for the story including an indication of one or more editors for the story from an originator of the story concept.

According to the Examiner, the above recited feature of Claim 1 is disclosed at Col. 10, lines 15-20 of Plantz. (See page 9, ¶ 2-3 of the Office Action mailed 7/16/07.) Applicants respectfully disagree with the Examiner's assertions and characterizations of Plantz.

In contrast to Claim 1, Plantz is generally directed to a group publishing system (GPS) where administration of the project assembly process, assignment of projects to authors and editors and overall GPS maintenance by a GPS administrator is facilitated by an administration control center. (See col. 7, lines 6-10.) We submit that neither col. 10, lines 15-20 nor any other portion of Plantz discloses or suggests "receiving the story concept for the story including an indication of one or more editors for the story from an originator of the story concept," as in Claim 1. Plantz does disclose the ability of a new editor to sign into the system (see col. 2, lines 15-20 of Plantz), however, that is something completely different from receiving of the story concept including an indication of one or more editors for the story from an originator of the story concept, as in Claim 1.

Furthermore, Dabney is directed to handling news stories provided by news reporters and/or journalists for publication in a newspaper or other traditional media source; specifically,

news story data such as photographs, video, audio and text is prepared for newspaper, radio and television by human editors. (See col. 5, lines 63-65.) Assuming, arguendo, that news story data discloses receiving a story, as suggested by the Examiner, such news story data does not include an indication of one or more editors for the story that is received from an originator of the story concept, as in Claim 1. We submit that the reporters of Dabney do not select the editor for a story nor are they the originator of the story concept, as in Claim 1. The other cited references fail to rectify this deficiency.

Hence, we submit that the combination of Dabney in view of Hanson in view of Fette in view of Lang and further in view of Plantz does not disclose or suggest the receipt of a story concept for a story including an indication of one or more editors for the story from an originator of the story concept, as in Claim 1.

Furthermore, Claim 1 recites the following claim feature which is not taught by the combination of references referred to by the Examiner:

making the story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept;

accepting received competing story content associated with the story concept from the multiple collaborators if the received competing story content meets the predetermined criteria . . . .

The disclosure of Dabney is expressly limited to news editor approval for completion of a news story and storage of such news story on content servers for newscasts and media distribution, making the news story data available for news media to incorporate the edited news story data into their broadcast and/or publication, distribution as well as availability for internet news sources. (See col. 6, lines 3-12.) Furthermore, we submit that Dabney fails to disclose or suggest making the story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept, much less accepting received competing story content associated with the story concept from the multiple collaborators if the competing story content meets the predetermined criteria, as in Claim 1. We submit that the various reporters that cover a story do not compete for which of their content will be selected for the various elements of the story concept, as in Claim 1.

Furthermore, Claim 1 recites “determining selected story content from the accepted competing story content submitted by each of the multiple collaborators that is approved for inclusion in the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators,” as in Claim 1.

We submit that Dabney teaches away from allowing the reporters that capture the news story content, such as the at least on multiple collaborators of Claim 1, to decide whether the story content is accepted for inclusion in the news story. We submit that the express limitation of accepting content for news stories, based solely on editor’s decision, prohibits the Examiner from illustrating that Dabney discloses content approval based on votes received from one or more editors and at least one of the multiple collaborators, as in Claim 1.

Moreover, Claim 1 recites deleting the accepted content if the received votes have failed to approve the content. Applicants agree with the Examiner that Dabney and Hanson fail to teach this limitation. However, Applicants respectfully disagree that either Fette or Lang provide such teaching. In contrast with Claim 1, Fette is directed to removal of unapproved information based on user approval. Lang teaches a filtering mechanism based on community standards, but such decision is not based on the one or more editors and at least one of the multiple collaborators (i.e., the providers of the content) as in Claim 1. Plantz does not rectify this deficiency.

Regarding the Examiner’s citing of Ludwig, Ludwig generally relates to a video collaboration system and method utilizing a control communications link and an unshielded twisted-pair wire network among a plurality of video sources and display devices (see Abstract). According to the Examiner, Ludwig teaches collaborators submitting competing story content related to elements in a story concept and selected story content from the competing story content submitted from each of the multiple collaborators, which according to the Examiner is disclosed by Ludwig at Col. 36, line 45 to Col. 37, line 30. However, the passages referred to by the Examiner relate to the sharing of a graphical image between an expert and a field representative. As further described by Ludwig, the expert illustrates his advice by creating and sharing a new graphical image. This image may be annotated by the field representative.

We submit that neither Col. 36, line 45 - Col. 37, line 30, nor any other portion of Ludwig, discloses or suggests making the story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept, much less accepting received competing story content associated with the story concept from the multiple collaborators if the received competing story content meets the predetermined criteria, as in Claim 1. We submit that the sharing of a graphic image of a client's portfolio holdings as well as the creating of a new graphical image based on expert advice, and annotation of such new graphical image, is something different from making a story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept, as in Claim 1.

Furthermore, any new graphical image that is submitted by the expert is not competing story content but merely overrides anything provided by the field representative, and may be annotated by the field representative (see *supra* of Ludwig). Hence, the Examiner has failed to identify, and we are unable to discern, any portion of Ludwig that teaches or suggests making the story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept, much less accepting received competing story content associated with the story concept from the multiple collaborators if the received competing story content meets the predetermined criteria, as in Claim 1. Moreover, Ludwig fails to disclose or suggest any notion of selecting story content, since any image provided by the expert will override the graphical images from the field representative.

We submit that no combination of Dabney in view of Hanson in view of Fette in view of Lang and Plantz and further in view of Ludwig could teach or suggest receipt of the story concept for a story including an indication of one or more editors for the story from an originator of the story concept, much less making the story concept available for online access to enable multiple collaborators to submit competing story content related to elements in the story concept if the received competing story content meets the predetermined criteria, as in Claim 1; nor does this combination teach or suggest the selection of accepted story content that is approved for inclusion in the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators, as in Claim 1.

Hence, the prior art combination of Dabney, Hanson, Fette and Lang fail to teach or suggest each of the above recited features of amended Claim 1, as required to establish a *prima facie* case of obviousness. For each of the above reasons, therefore, Claim 1 and all claims which depend from Claim 1 are patentable over the prior art combination of Dabney in view of Hanson in view of Fette in view of Lang and further in view of Plantz. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the §103 rejection of Claims 1, 3-6, 9 and 10.

Each of Applicant's other independent claims includes limitations similar to those in Claim 1 discussed above. Therefore, all of Applicants' other independent claims, including Claims 22 and 28, and all claims which depend from them, are also patentable over the cited prior art for similar reasons.

**B.** Claims 14-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dabney in view of Hanson, further in view of Fette, further in view of Lang, further in view of Plantz, and further in view of Ludwig. Also, Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabney in view of Hanson in view of Fette in view of Lang in view of Plantz and further in view of Ludwig and further in view of U.S. Patent No. 5,100,154 to Mullins (“Mullins”). Applicants respectfully traverse these rejections.

Regarding Claim 14, Claim 14 recites features similar to those highlighted above with regard to Claim 1. Namely, Claim 14 recites making the story concept available for online access to enable the multiple collaborators to submit competing story content and accepting received competing story content associated with the story concept from the multiple collaborators if the received competing story content meets the predetermined criteria, as in Claim 1. Furthermore, Claim 14 recites including selected content that is accepted between competing story content according to a subset of votes received online from a group consisting of one or more editors and at least one of the plurality of collaborators. This feature of Claim 14 is not disclosed by the combination of Dabney in view of Hanson in view of Fette in view of Lang in view of Plantz in view of Ludwig and further in view of Mullins.

For each of the above reasons, therefore, Claim 14 and all claims which depend from Claim 14 are patentable over the prior art combination of Dabney in view of Hanson in view of Fette in view of Lang in view of Plantz in view of Ludwig and further in view of Mullins.

Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the §103 rejection of Claims 14-18 and 19-21.

C. Claims 11-13, 27, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabney in view of Hanson in view of Fette, further in view of Lang, Plantz, Ludwig, and Mullins.

Claims 11-13 depend from Claim 1 and are therefore patentable over the cited art for reasons similar to those give above with regard to Claim 1. With respect to Claims 27 and 30, which depend from independent claims 22 and 28 respectively, Applicants respectfully traverse the rejection.

#### **DEPENDENT CLAIMS**

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

#### **PETITION FOR EXTENSION OF TIME**

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on March 21, 2008, Applicant respectfully petitions Commissioner for a one (1) month extension of time, extending the period for response to July 21, 2008. Please charge Deposit Account No. 02-2666 in the amount of \$120.00 to cover the petition filing fee.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

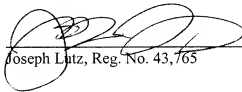
If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Dated: July 3, 2008

By:

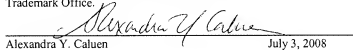


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#### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.



Alexandra Y. Caluen July 3, 2008